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32           **ATTORNEYS FOR PLAINTIFF GPNE CORP.**

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

**GPNE CORP.,**

Plaintiff,

No. 5:12-CV-02884-LHK

VS.

## **JURY TRIAL DEMANDED**

BARNES & NOBLE, INC.,

Defendant.

**JOINT MOTION FOR ENTRY OF AN ORDER  
REFLECTING THE STIPULATION OF DISMISSAL WITH PREJUDICE**

Pursuant to Fed. R. Civ. P. 41(a) and the terms of a separate Settlement and License Agreement dated November 7, 2012, plaintiff GPNE Corp. (“GPNE”) and defendant Barnes & Noble, Inc. (“B&N”), parties to this legal action, by and through their attorneys, do hereby jointly move for an order approving their stipulation as follows:

1. All claims asserted by GPNE against B&N and are dismissed with prejudice.
2. All counterclaims asserted by B&N against GPNE are dismissed with prejudice.
3. Each party is to bear its own costs and attorneys' fees with respect to this legal action and the entry of this Stipulation and Order of Dismissal with Prejudice.

4. The Court may enter an Order adopting the Stipulation of Dismissal (with Prejudice) and Proposed Order thereon as the Order of the Court.

Dated: November 7, 2012

Respectfully Submitted,

/s/ Randall Garteiser

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21 **ATTORNEYS FOR DEFENDANT BARNES & NOBLE,  
22 INC.**

## **CERTIFICATE OF SERVICE**

I hereby certify that on November 7, 2012, I electronically submitted the foregoing using the electronic case files system of the court. The electronic case files system sent a "Notice of Electronic Filing" to individuals who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Randall Garteiser  
Randall Garteiser

## ATTESTATION

I hereby certify that I have the authority of Ronal Lopez to sign this settlement agreement on his behalf.

/s/ Randall Garteiser  
Randall Garteiser